

RESOLUTION NO. 21-73

A RESOLUTION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ACCEPTING A SUPPLEMENT TO THE NOISE MANAGEMENT PLAN FOR THE CONSTRUCTION ACTIVITY AT THE BROWARD COUNTY CONVENTION CENTER AND EXTENDING THE AUTHORIZATION PROVIDED IN RESOLUTION NO. 21-52; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 17-7.4 of the Code of Ordinances of the City of Fort Lauderdale, Florida, provides that it is unlawful for any person to operate or cause to be operated equipment for construction, repair, alteration or demolition work on buildings, structures, streets, alleys, or appurtenances Monday through Saturday before 8:00 a.m. or after 7:00 p.m. and Sunday before 10:00 a.m. or after 7:00 p.m.; and

WHEREAS, Section 17-10 of the Code of Ordinances entitled "Construction of large or complex projects (transportation and non-transportation)" empowers the city manager to grant a special permit exempting construction projects from the provisions of Section 17-7.4 upon the showing of good cause; and

WHEREAS, Section 17-7.4 of the Code of Ordinances provides that the City Commission may grant additional extensions of time upon a showing of good cause and when it is demonstrated that the special permit is in the best interest of public health, safety and convenience; and

WHEREAS, Resolution No. 21-52 adopted by the City of Fort Lauderdale City Commission on March 2, 2021, authorized the approval of additional extensions of time for a special permit issued for and exempting the Broward County Convention Center Construction from the provisions of Section 17-7.4 of the Code of Ordinances of the City of Fort Lauderdale, Florida, through June 15, 2021; and

WHEREAS, the City Commission considered and used as the basis of its determination the Noise Management Plan March 2021 – October 2021 Broward County Convention Center prepared by Balfour Beatty and submitted by Broward County; and

WHEREAS, Broward County seeks permission to also conduct concrete pours between the hours of 10:00 p.m. and 7:00 a.m. Monday through Saturday; and

WHEREAS, Broward County has submitted a supplemental Noise Management Plan that specifically addresses the overnight concrete pours attached as Exhibit 2 to Commission Agenda Memorandum No. 21-0415; and

WHEREAS, the City Commission has reviewed the supplemental Noise Management Plan and has determined that the supplement shows good cause and demonstrates that the special permit is in the best interests of public health, safety, and convenience;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

SECTION 2. That the City Commission accepts and finds that the supplemental Noise Management Plan attached as Exhibit 2 to Commission Agenda Memorandum No. 21-0415 shows good cause and demonstrates that the special permit is in the best interests of public health, safety, and convenience.

SECTION 3. That the authority granted under City of Fort Lauderdale Resolution No. 21-52 is hereby extended to the construction activities described in the supplemental Noise Management Plan.

SECTION 4. That this resolution shall be in full force and effect upon final passage.

ADOPTED this 20th day of April, 2021.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
JEFFREY A. MODARELLI